

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Jonathan T. Foote, et al.
Appln. No.: 7,624,166
Issued: November 24, 2009
Appln. No.: 10/727,310
Filing Date: December 2, 2003
Conf. No.: 5171

Title: SYSTEM AND METHODS FOR REMOTE CONTROL
OF MULTIPLE DISPLAY AND DEVICES

PATENT

Art Unit: 2445
Examiner: William J Goodchild

Customer No. 23910

REQUEST FOR RECONSIDERATION OF
PATENT TERM ADJUSTMENT UNDER 37 C.F.R. §1.705(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request reconsideration of the revised patent term adjustment (PTA) indicated in the Issue Notification mailed November 4, 2009.

The fee pursuant to 37 C.F.R. § 1.18(e) is submitted as follows:

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|----------|--|
| <u>X</u> | Application fee for patent term adjustment due to examination delay under §1.705. \$200.00. |
| — | Request for reinstatement of all or part of the patent term reduced under §1.704(b). \$400.00. |

Statement of Facts

In accordance with § 1.705(b)(2), the following facts are set forth below:

1. The correct patent term adjustment should be 1431 days and the basis for the adjustment is § 1.702(a).
2. The relevant dates under § 1.703(a)-(e) for which an adjustment is sought are as follows:

In addition to the above statement of facts:

12/02/2003 Applicants filed the subject application.

04/16/2008 The USPTO mailed the first non-final office action, incurring a delay of 1169 PTA days.

- 07/10/2008 Applicants filed a response after non-final, offsetting the PTA delay by 0 days, bringing the total PTA days to 1169.
- 10/02/2008 The USPTO mailed the final office action, incurring a delay of 0 PTA days.
- 12/11/2008 Applicants filed a response after final, offsetting the PTA delay by 0 days, bringing the total PTA days to 1169.
- 12/22/2008 The USPTO mailed the advisory action, incurring a delay of 0 PTA days.
- 01/02/2009 Applicants filed a request for reconsideration, offsetting the PTA delay by 0 days, bringing the total PTA days to 1169.
- 03/17/2009 The USPTO mailed the non-final office action, incurring a delay of 0 PTA days.
- 05/27/2009 Applicants filed a response after non-final, offsetting the PTA delay by 0 days, bringing the total PTA days to 1169.
- 09/01/2009 The USPTO issued the subject patent, incurring a delay of 1169 days, bringing the total PTA days to 1169.
- X The total PTA days is further reduced for the overlap of 501 days for the period between the 36 month date for issuing the patent (December 2, 2006) and the date the USPTO issued the first office action (April 16, 2008), bringing the total PTA days to 1431.
- X The above referenced application/patent is not subject to a Terminal Disclaimer.
- X Under § 1.704, there were no circumstances during the prosecution of the above referenced application/patent constituting a failure to engage in reasonable efforts to conclude processing or examination of such application.

In view of the above, Applicants respectfully submit that the correct patent term adjustment is 1431 days.

The Commissioner is hereby authorized to charge the required fees of \$200.00 and any underpayment of fees or credit any overpayment to Deposit Account No. 06-1325.

Date: January 25, 2010

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Respectfully submitted,

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